

SECOND AMENDED EXHIBIT A

**“(EXCERPTS FROM) ROOMS TO GO STORE AND OFFICE HANDBOOK, WITH
SUMMARY OF DATES, EVENTS, PERSONS, AND RTG EMPLOYMENT
HANDBOOK POLICIES AND PROCEDURES VIOLATED**

(Excerpts From) Rooms To Go Store and Office Handbook

1. No Discrimination, Harassment or Retaliation, pages 5-6

Rooms To Go (RTG) is committed to maintaining a work environment that is **free from unlawful discrimination, harassment and retaliation** where associates at all levels of the Company are able to devote their full attention and best efforts to the job. Unlawful discrimination, harassment and retaliation, either intentional or unintentional, have no place in the work environment. Rooms To Go has a **zero tolerance policy** for, will not tolerate and considers unlawful, any form of discrimination, harassment or retaliation of or by any associate based on race, sex, religion, color, national origin, genetics, age, disability, or any other factor protected by law. **Unlawful discrimination** with respect to hiring, promotion, **job assignments**, training, compensation, benefits, **discharge** or any other term or condition of employment is **absolutely prohibited**. The term “**unlawful harassment**” for all purposes includes, but is not limited to, offensive language, jokes, or other verbal, written, or physical conduct relating to an associate’s race, sex, religion, color, national origin, genetics, age, disability, or other factor protected by law which **would make the reasonable person experiencing such harassment uncomfortable in the work environment or which could interfere with a person’s job performance**. This policy will be posted on our website and publicized to all associates.

2. Racial, Religious, National Origin, Age or Disability Harassment, page 7

Racial, religious, national origin, age or disability harassment deserve special mention as well and is expressly prohibited. Racial, religious, national origin, age or disability harassment includes **any verbal, written, or physical act in which race, religion, national origin, age or disability is used or implied in a manner which would make a reasonable associate uncomfortable in the work environment or which would interfere with the associate's ability to perform the job**. Examples of race, religious, national origin, age or disability harassment include jokes which include reference to race, religion, national origin, age or disability; the display or use of objects or pictures which adversely reflect on a person’s race, religion, national origin, age, or disability; or **use of language which is offensive due to a person’s race, religion, national origin, age or disability**.

3. Sexual Harassment, pages 6-7

Sexual harassment is defined as: (a) Physical assault or physical conduct that is sexual in nature; (b) Unwelcome sexual advances or comments or requests for sex or sexual activities, regardless of whether they are accompanied by promises or threats; (c) Explicitly or implicitly making submission to sexual advances, comments, or requests a term or condition of employment; (d) **Sexual displays** or publications such as calendars, cartoons or graffiti; (e) **Other verbal or physical conduct of a sexual nature which has the purpose or effect of**

interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment and (f) Retaliation for complaints of harassment. Rooms To Go regards all such conduct to be a violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment.

Specific examples of sexual harassment include requesting sexual favors in exchange for advancement, sexual propositions, ***sexual innuendo, sexually suggestive comments from a sexually-oriented "kidding," "teasing" or "practical jokes," about gender-specific traits, foul or obscene language or gestures,*** displays of foul or obscene printed or visual material, and ***physical contact, such as patting, pinching, or brushing against another's body;*** or reading or otherwise publicizing materials that are sexually suggestive or revealing.

4. How Rooms To Go Will Investigate Complaints, Page 9

Rooms To Go will thoroughly and promptly investigate all claims of unlawful discrimination, harassment or retaliation pursuant to the Internal Complaint Procedure. ***The Company will meet with the complaining associate to discuss the results of the investigation and, where appropriate, review the proposed resolution of the matter.*** If an investigation confirms that unlawful discrimination, harassment or retaliation has occurred, the ***Company will take corrective action,*** including such discipline up to and including immediate termination of employment, as is appropriate. ***Claims of assault or the threat of assault, if proven, will result in dismissal.***

5. Testing of Associates, pages 12-15

Reasonable Suspicion: If there is a reasonable suspicion to believe that an associate is using or has used illegal drugs or...

An associate reporting for work visibly impaired is unable to properly perform required duties and will not be allowed to work. If, in the opinion of the supervisor, the associate is considered impaired, the associate should be tested for the presence of drugs and alcohol under reasonable suspicion. The associate should be tested on site (depending on state standards regarding on-site testing) or transportation should be provided for the impaired associate to an authorized collection site if necessary. ***An impaired associate should never be allowed to drive.*** Associates who refuse substance testing within the required period of time under any circumstances will be terminated...

REPORTING MEDICATIONS

In order to assure that associates can perform their job safely, associates using ***prescription drugs*** according to a physician's instructions or using over the counter drugs for medical purposes who believe that ***their use of such drugs could adversely affect their ability to safely operate a vehicle or machinery***

or otherwise perform their job safely, must notify their supervisor, manager or occupational health nurse immediately upon reporting to work. Failure to do so may be considered a violation of this policy. The associate is not required to disclose the name of the medication being used but ***the company may require the associate to obtain a Transitional Duty Form or statement from a physician that the drug will not adversely affect the associate's ability to perform the job safely...***

6. Attendance, page 25

Regular attendance and punctuality is expected of all associates at all levels of employment. However, there are times when absence or tardiness is unavoidable. Should such circumstances arise, associates must notify their supervisor a minimum of 30 minutes prior to the beginning of their scheduled start time. Failure to notify your supervisor will result in disciplinary action. Absence without notifying your supervisor for one (1) work day may be considered job abandonment and may result in disciplinary action up to and including dismissal. Absences without notifying your supervisor for three (3) consecutive scheduled work days will be considered job abandonment and the Company will accept this as the associate's voluntary resignation of their employment with RTG. ***Excessive absenteeism and or tardiness will result in disciplinary action up to and including dismissal.***

7. Rules and Regulations, page 25

In order to maintain efficient and harmonious operations, every organization must establish rules and regulations. Discipline for violation of these rules depends upon the degree of the infraction that occurs. It is the responsibility of each associate to maintain correct standards of conduct. ***Dismissal is normally the result of misconduct***, refusal to obey instructions, negligence, rudeness to a customer, or excessive absenteeism or tardiness.

8. Disciplinary Procedure, pages 25-27

The future prosperity of our Company and associates depends, to a great extent, on our ability to achieve a large measure of ***cooperation and discipline***.

Unfortunately, there are times when it becomes necessary to warn an associate that certain actions or behaviors are not in keeping with Rooms To Go policies and procedures. Should this be the case, your supervisor or other member of the management team may, upon first violation, verbally warn you not to repeat the infraction. Upon the second violation, a written warning may be issued. If the same offense occurs a third time, depending on the severity of the infraction, the associate may be subject to disciplinary action up to and including suspension or termination. Of course, there may be a situation that warrants immediate dismissal whereby the foregoing progressive disciplinary procedure would not be followed.

EXAMPLES OF COMMON INFRACTIONS:

1. **Tardiness**
2. Absenteeism
3. **Improper Attire/Uniform**
4. **Negative attitude toward** customers or **co-workers**
5. Smoking in unauthorized areas
6. Poor personal hygiene
7. **Electronic communication/equipment violations**

9. Gross Misconduct, pages 26-27

Gross misconduct includes offenses that warrant immediate termination listed below are examples of such offenses, however, this list is not exhaustive, nor does it imply that the company will not take action in accordance with its rights or duties under criminal law.

1 . Dishonesty: Theft of money or property from the Company or coworkers.

2. Fighting or willful acts resulting in injury to others. This includes on the job, on Company premises or on Company business. Under no circumstances will arguing or fighting with a customer be allowed. Likewise, harassment of any staff for any reason is not tolerated.

3. Use, possession, or being under the influence of drugs or alcohol on Company property or during scheduled work hours.

4. Intentional misuse or destruction of company property or equipment.

5.. Falsification of employment applications, time records, or any employment, sales, or work-related document.

6. Insubordination.

7. Unauthorized use of Company property. This includes but is not limited to RTG stationary, supplies, telephone, mail/postage machines, email, etc.

Further, in the event **an associate engages in unlawful activity** outside the company, but such activity negatively affects the company, the associate will be terminated. Similarly, **associates suspected to have engaged in unlawful activity inside or outside the company (which may negatively affect the Company) will be suspended and may be terminated if the matter is not resolved in a reasonable period of time. This includes associates arrested for such activity or associates suspected of such activity arising out of an internal security investigation.**

10. Open Door Communication, pages 31-32

It is Rooms To Go policy to provide **open and accessible channels of**

communication between supervisors and associates. Expression of associate suggestions, problems and complaints is a fundamental principle of sound employee relations. ***We encourage our associates to talk to their supervisors on anything that might arise concerning their work.*** Should there be a small problem or concern individually with another associate or manager, we think it only respectful that you first make a positive attempt to approach the other person directly. Often within a few minutes of airing your concerns and mutually discussing the situation, you will have resolved the problem. If this does not solve the problem to your satisfaction, then you are encouraged to follow the procedure set out below to air your complaint ***without any fear of recrimination.***

1. Discuss the matter fully with your Department supervisor. Allow your supervisor time to get back to you with an answer period agreed on an acceptable time frame.
2. If you do not receive a satisfactory answer at this level, ***let your supervisor know that you wish to precede to your department/store manager. The department/store manager will make a conscious effort to resolve the problem or correct the situation.***
3. If a satisfactory resolution still cannot be attained, ***you are Welcome to submit a written synopsis of your concern to the vice president or director of human resources who will conduct an investigation into your complaint or before your complaint to the appropriate area for investigation.*** A decision regarding the outcome of the investigation will be forwarded to you withing 45 days of the complaint.

If the above complaint procedure is not possible or you do not feel comfortable discussing the problem with any of the above, ***your area Vice president or the Vice President or Director of Human Resources are available for you to address your concerns.***

11.INTERNAL COMPLAINT PROCEDURE, Store and Office Personnel, pages 8-9, 36-37

Rooms To Go cannot resolve matters that are not brought to its attention. Any associate, regardless of position, who has a complaint of or who witnesses unlawful discrimination, harassment or retaliation at work by anyone, including supervisors or managers, associates or even non-employees, ***has a responsibility to immediately bring the matter to the Company's attention.*** Any associate experiencing or observing unlawful discrimination, harassment or retaliation is urged to submit an internal complaint in writing pursuant to the Internal Complaint Procedure. All internal complaints must be submitted to the Human Resources Department. Associates may also ***report unlawful discrimination harassment, and/or retaliation to the Ethics Line at 1-877-380-6709.***

Complaints of discrimination, harassment or retaliation will be kept as confidential as possible. Information will be released only on a “need to know” basis. ***Retaliation against any associate for using the Internal Complaint Procedure or otherwise opposing unlawful discrimination or harassment is absolutely prohibited.***

Rooms To Go will thoroughly and promptly investigate all claims of unlawful discrimination, harassment or retaliation pursuant to the Internal Complaint Procedure. The Company will meet with the complaining associate to discuss the results of the investigation and, where appropriate, review the proposed resolution of the matter. If an investigation confirms that unlawful discrimination, harassment or retaliation has occurred, ***the Company will take corrective action***, including such discipline up to and including immediate termination of employment, as is appropriate. ***Claims of assault or the threat of assault, if proven, will result in dismissal.***

If you feel that the Company has not met its obligations under the policy, you should contact the Vice President or Director of Human Resources....

PURPOSE:

Provide a process through which associates who feel they have been the subject of, or witness to, unlawful discriminations, harassment or retaliation can file internal complaints and seek resolution.

FILING OF COMPLAINT:

Any associate who feels they have been the subject of, or witness to, unlawful discrimination, harassment or retaliation may file an internal complaint.

All complaints must be submitted in writing on an Internal Complaint Form to the Vice President or Director of Human Resources. Forms are available from Human Resources.

In order to have a complaint investigated under this Procedure, associates must file a written complaint within one year of the event, about which the associate is complaining.

If an associate verbally informs a supervisor/manager that they have been subject to unlawful discrimination, harassment or retaliation, the supervisor/manager will inform the associate of the Internal Complaint Procedure and request the associate to submit the complaint to Human Resources.

Under no circumstances will any supervisory or management level associate attempt to discourage an associate from filing a written complaint under the Internal Complaint Procedure.

INVESTIGATION OF COMPLAINT:

The Vice President or Director of Human Resources or a person assigned by the Vice President or Director ***will investigate all complaints filed under this Procedure.***

The Vice President or Director ***will not assign any person to investigate a complaint who is reasonably the subject of the complaint or a material witness to the events leading to the complaint.***

Absent unusual circumstances, ***the Vice President or Director will advise the associate filing the complaint of the findings of the investigation within a reasonable period, usually 45 days.***

If it determined that an associate has been the subject of unlawful discrimination, harassment or retaliation, ***appropriate remedies will be promptly taken.***

12. Leave of Absence, Policy pages 47-58

Purpose: The Company recognizes that there are times when an associate may need a leave of absence due to a serious illness or injury (whether or not work related) or for the birth or adoption of a child. ***The leave of absence policy is designed to address these needs and comply with the Family and Medical Leave Act (FMLA) and applicable state and or local laws.***

Summary of Policy: ***The Company will provide eligible associates up to a combined total of twelve (12) weeks of FMLA leave during a designated leave year for the following reasons:***

Personal Medical Leave: When an associate is unable to work due to his/her own serious health condition...

ASSOCIATE'S RESPONSIBILITY

The following is intended to inform associates of their responsibilities when requesting, maintaining, extending and/or returning from FMLA or non-FMLA leave of absence...

...Verbal requests for leave may be used in case of an emergency and later followed up with the appropriate request for Leave Form...All forms are available from supervisors or from the Human Resources Department...

Workers' compensation shall run concurrently with the twelve (12) weeks of FMLA leave if the injury meets the "serious health condition" requirement under FMLA. Otherwise, workers' compensation leave shall run concurrently with non-personal days while receiving pay from workers' compensation...

Approved FMLA leave for reasons of personal or family illness may be taken if needed in a continuous block of time, ***intermittently*** or as a reduced leave schedule...

13. On The Job Injuries, pages 58-60

If you are injured on the job, you must follow the prescribed procedures for treatment and reporting in order to be eligible for payment of medical bills and benefits under the workman's compensation law...

14. Transfers and Promotions, pages 4, 62-64

...It is the policy of Rooms To Go (RTG) to select develop, and promote associates based on individual ability and job performance...to provide equal employment opportunities to all people in all aspects of the employer-employee relationship without discrimination based on race. Color, creed, sex (gender), religion, national origin or ancestry, genetics, marital status, age physical or mental disability, **medical condition**, sexual orientation, or veteran status. This policy affects decisions including, but not limited to, compensation, benefits, promotion, training and development, **transfers** and other privileges of employment. ***It is further the policy of RTG to comply with the letter and spirit of all applicable local, state and federal laws/statutes concerning equal employment opportunity. Unlawful discrimination is prohibited by Rooms To Go.***

Rooms To Go supports your desire for personal and professional development...Transfer and promotional selections are based upon the operational needs of the Company, your qualifications, and overall performance record...

2. You must fully meet the job qualifications as outlined in the job description, and be capable of performing the essential functions of the position...

The Company reserves the right to transfer associates based on operational necessity, so long as the transfer does not impose undue hardship upon the associate.

15. Resignations/Terminations, page 65

...Associates involuntarily terminated, unless for gross misconduct, will be paid all vacation time earned as of the last day worked....

1. 10/9/17 Green/Sosa/Jones “ganged up” approaching me in a cabal on the sales floor and in front of numerous customers, and accused me of “lying, cheating, and taking Shannon’s customer”. Green yelled directly and repeatedly in my face, “You don’t have a God damned right to take her (Shannon) customer!” I tried to say to Green, “I greeted the customer at the door” but Green interrupted and spoke over me, yelling repeatedly, “You’re a God damned liar! I didn’t see you greet them so it didn’t happen!! It didn’t happen!” Later during the shift while on the sales floor and walking past Green/Sosa/Jones, they started grumbling and cursing again about the incident to each other while in my presence and to my detriment. After informing her of the incidents, Haun failed to take actions on Green/Sosa/Jones for multiple violations of store policies. **(SEE EXHIBIT 1) [Policies: 1,2,4,7,8,9,10]**
2. 3/1/18 Shannon “crashed” my sale and later admitted to Haun that she “did it on purpose” In spite of Shannon’s admission of guilt, Haun gave Shannon my commission and gave me write up. Two customers, Roy Natasha & Patrice [?], witnessed Shannon cursing at me when I asked why she [Shannon] did it and she replied, “Yeah, I did it on purpose because you didn’t have a God damned right to talk to my customer, Taffany!” After informing her of the incidents, Haun failed to take action on Shannon’s violations of store policies. **(SEE EXHIBIT 2) [Policies: 1,2,4,7,8,9,10]**
3. 3/1/18 Later that evening, I approached Haun in her office for advice on what to do about the false accusations being made against me and for how to stop the cabal constructed by Green/Shannon/Sosa/Jones. Haun told me, “you’re doing a GREAT job [Taffany], keep it up, stay strong, they’re [Green/Shannon/Sosa/Jones] just jealous.” Haun offered no constructive help to alleviate the hostility against me. **[Policies: 1,2,4,7,8,9,10]**
4. 3/2/18 While on the sales floor and walking past Green/Jones, they started grumbling and cursing to each other while in my presence and to my detriment by saying, “Ahmed and Taffany are taking all the customers, and I’m [Green] tired of this shit..” After I informed her of the incident, Haun failed to take action on Green/Jones for violations of store policies. **[Policies: 1,2,7,9]**
5. 3/2/18-3/4/18 Sosa arrived late to work for three (3) consecutive, mandatory work days during the Warehouse Sale. All sales associates had been told in advance by Haun that no tardiness would be tolerated during this sale, but Haun failed to take appropriate disciplinary actions on Sosa for her repeated infractions. **[Policies: 1,2,6,7,8,9]**
6. 3/18/18 I walked into a quiet break room only for it to erupt immediately and deliberately into being filled with shouting, “God Damn” cursing by Sosa and Shannon. I turned around and walked out, and the noise immediately stopped. After complaining to Haun, she failed to take action to remedy the situation. **[Policies: 1,2,7,9,10,]**

7. 3/18/18 Ramirez approached me on the sales floor and began asking questions to discuss my faith and Christianity. Ramirez has told me that he does not believe in God and is an "atheist."
8. 3/18/18 Sosa followed after me into the ladies' room and upon entering she slammed the stall door, shaking my stall walls, and began yelling and cursing loudly, "Oh fuck, some fucker put a God damn track for Jehovah Witnesses in here! God damn those mother fuckers! I can't believe they put this God damn shit in here!..."
 - a) Shannon then entered the room and pretended to be an old lady with her voice crackling and saying, "Excuse me ma'am, would you like to talk to me about Jesus, our Lord and Savior?" She then stifled her laughter and as I exited the stall, Shannon quickly exited while laughing out loud. Sosa was still in the stall and I was terrified from being cornered alone with and targeted by the two female employees so I left the ladies room immediately and went straight to Haun. (This was the second incident of targeted harassment within the same day.)
 - b) When I told Haun what happened and that I wanted to file a formal complaint for religious harassment she replied that it "happened in the ladies' room and not the work area so I [Haun] don't have any authority there...besides, it's your [my] word against theirs" and "since it was two of them and only one of you, everyone knows they would both claim to have a different story of what happened than you." Haun took no action on the incident. **[Policies: 1,2,4,7,8,9,10,11]**
9. 3/18/18 Shannon crashed my sale at front of store by directly approaching the customer I was talking with and interrupting with, "Hey there, how ya' been? Whatcha' looking for today?" (This was the third incident of harassment within the same day.) Although this example of crashing is a serious offense in the store handbook, Haun again chose to take no action. **(SEE EXHIBIT 3) [Policies: 1,2,7,8,9,10,]**
10. 4/14/18 Without provocation, Jones began yelling at me on a crowded sales floor, " I don't know why you [me] think it's okay to get a discount when Clyde [Cribbs] wouldn't give me one!...You always get your way, Taffany and I'm sick of you cheating!" Jones thought it was unfair that Cribbs approved a rug discount for my customer [Wanda Jones], who witnessed the hostile, verbal attack on me. **[Policies: 1,2,7,8,9,10]**
 - a) I did not engage verbally with Jones
 - b) Haun took no action on my complaint of harassment
11. 5/19/18 Sosa tried to physically assault me in the employee breakroom. **(SEE EXHIBIT 4) [Policies: 1,2,4,7,8,9,10,11]**
 - a) Cribbs called Sosa and me to meet with him in the breakroom to forge a truce

- b) Sosa lunged at me over the table and was throwing her hand in my face
- c) Cribbs was sitting between us, and told Sosa repeatedly to stop and get back
- d) Sosa continued the assault, yelling at both Cribbs and me
- e) Haun walked in and witnessed Sosa's assault
- f) Haun yelled at Sosa "Stop Ana, or you'll get yourself into trouble!"
- g) Sosa argued with Haun, Sosa said it was not her fault
- h) Haun calmed Sosa down
- i) Haun took no action on my request for formal complaint of workplace violence

- **I REQUESTED THAT MY COMPLAINT BE MADE OFFICAL AGAINST SOSA**

- **MANAGEMENT FAILED TO MOVE COMPLAINT FORWARD**

12.5/23/18 Shannon claimed to Perkins that, "She [Taffany] stole my customer!" (SEE EXHIBIT 5) [Policies: 1,2,4,7,9,10,11]

- a) Without investigation, Perkins gave customer to Shannon
- b) Later that day Shannon told me, "You can't do a God damned thing about it!"
- c) Haun took no action on my complaint

13.8/26/18 Green told everyone in break room that I was in the "KKK" and, "She [Taffany] told me she's in the God damn clan!" [Policies: 1,2,4,7,8,9,10,11]

- a) I told Haun I wanted to file a formal complaint and that not only was the accusation generally disgusting, but also I considered it an attack on my religious faith because Christianity doesn't segregate people by color or any other manner, but Haun strongly discouraged me from making a formal complaint and said, "Taffy, just ignore whatever they say about you."

- b) Haun took no action on racial or religious discrimination complaints

14.9/3/18 At the morning sales meeting, I expressed support for Cribbs, who had just chastised part of the team for their insubordination the previous evening. Jones maliciously started yelling, repeatedly at me, "Mind your own business Taffy, it doesn't involve you! Why do you always have to stick your nose into everything! It doesn't concern you; you weren't there...it's none of your business Taffy!" [Policies: 1,2,7,8,9,10,11]

- a) Later that day, Cribbs approached me on the sales floor and said with much sincerity, "Taffany, on behalf of ALL the managers and employees at Rooms To Go, I want to extend our sincere apologies to you for what Gretchen Jones did and said at the meeting."
- b) I said it wasn't his fault and that Gretchen should be apologizing, and Cribbs simply repeated, verbatim, what he had just said to me
- c) Cribbs is the only one in management who ever acknowledged an outcome of the inappropriate actions to by any of the four, Green/Shannon/Sosa/Jones

15. 10/2018 My customer informed Haun and me that "Sosa is telling all Hispanics to only ask for NATIVE Spanish speakers." **[Policies: 1,2,4,7,8,9,10,11]**

- a) I speak some Spanish but am not "native"
- b) Sosa frequently tries to crash when I am with Spanish speaking customers by interrupting me and speaking fluent Spanish to my customers
- c) Haun refused to take action on Sosa for this racial discrimination complaint

16. 10/20/18 Assistant Manager, Sheffie, retaliated, harassed, and discriminated **[Policies: 1,2,7,8,9,10,11]**

- a) When asking Sheffie a question about the schedule, he shouted at me, "mind your own business Taffany, you don't need to be worried about other people, just mind your own business!"
- b) I walked away, Sheffie still shouting at me
- c) Perkins, Merchandiser, witnessed the incident and walked away as Sheffie continued yelling at me
- d) Perkins has previously warned me multiple times to be very careful about retaliation from the management team because "there is a lot of pressure on them to conform."

17. 11/1/18 After being asked a question about her attendance, Shannon yelled at Hopkins, Office Staff, "You [Hopkins] need to stay out of my [Shannon's] business and be focused--worried about Taffany's business! She's the God damned one you need to be watching!" Haun took no action on my complaint of harassment. **[Policies: 1,2,4,7,8,9,10,11]**

18. 11/2/18 At the morning meeting, Diaz was watching the clock and at start of shift, Diaz chanted to Sheffie, "Shariq's [Ahmed] late...he needs to be written up! Come on, DO IT, do it, do it [Sheffie]!" **[Policies: 1,2,4,7,8,9,10,11]**

- a) When I brought up to Haun that this was not 'minding his own business', Haun refused to take action
- b) Sheffie is best friends with subordinate, Diaz and frequently sits on the sales floor and breakroom in deep discussions together, while at work

19. 11/2/18 Sheffie verbal and physical assault at store entry. **[SEE EXHIBIT 6)**
[Policies: 1,2,4,7,8,9,10,11]

- a) Sheffie was upset and accusing me of not being at the store entry to take new customers, even though I was already helping another one. He yelled at me and demanded that I come over to him at the front door.
- b) I went to Sheffie and he began verbally berating me for alleged infringements and worked himself into a frenzy of physical animation that culminated with him shoving his palm in my face—and he wouldn't remove it.

- c) My response was, "Whoa!...Greg!...Stop!...please!-remove-your-hand-from-my-face-right-now...This is totally unacceptable and WRONG!"
 - d) I took two (2) steps back, and Sheffie stepped forward, again crowding me
 - e) Sheffie was out-of-control of himself
 - f) Sheffie continued his verbal tirade at me and shouted, "What is WRONG with you, Taffany?!? I think there's something WRONG with you! Are you lost your MIND Taffany!? What is WRONG with you?!?"
 - g) ... "You WILL be written up Taffy...I will tell Rhonda to make SURE that you get written up tomorrow, Taffy, I will SEE to it you're written up! COUNT on it!"
 - h) Diaz had walked up behind Sheffie and attempted to divert his attention several times while he was ranting
 - i) Diaz finally got Sheffie's attention and coaxed him into walking backwards, away from me and tried to stifle Sheffie's continued outburst
 - j) I stammered over to the office and asked Hopkins for the phone number to call HR or whoever was the proper person to call for the disturbance
 - k) Hopkins referred me to the Ethics Hotline
 - l) **I CALLED THE ETHICS HOTLINE AND REPORTED THE INCIDENT but I never received follow up or outcome from anyone**
 - m) 11/3/18 The next day and thereafter, Haun made no inquiry whatsoever, but just gave me a write up—just as Sheffie promised me would happen. I notated my disagreement on the write up
20. 11/8/18 Sheffie retaliated daily with hostility, indifference and avoidance [**Policies: 1,2,4,7,9,110,11**]
- a. Sheffie refused to assist me when I ask for help on the floor
 - b. Sheffie ignored my calls on the intercom
 - c. Sheffie refused to look me in the eye
 - d. Sheffie responded with curt and seething replies when I asked him questions
 - e. Sheffie turned around and walked the other direction when seeing me approach
21. 11/11/18 Sosa **PHYSICALLY ASSAULTED** me when in opposing foot traffic to me. Sosa forcibly pushed into my upper body and shoulder, knocking me off balance and making me almost falling over [**Policies: 1,2,4,7,8,9,10,11**]
- a) When informed of the assault, Haun strongly discouraged me from making a formal complaint, and immediately said, "it could have been accidental".
 - b) Haun took no action on the workplace violence complaint

22. 11/19/18 (On or about) At the store entry and while awaiting new customers to greet, Green loudly shouted the gang call "Sawwoop! Sawwoop! Sawwoop!" eight (8) feet away from, and while I greeted a group of black customers. **[Policies: 1,2,3,4,7,8,9,10,11]**

a) Haun took no action on racial discrimination, workplace violence, harassment

23. 11/24/18 A rare occasion where I was about 8 minutes late to work but notified Haun in advance. **(SEE CONCEALED WRITE UP IN PERSONNEL FILE with my notation of disagreement) [Policies: 1,2,4,6,7,8,9,10,11]**

a) I texted Haun that I was going to be 5-10 minutes late

b) Haun claimed she didn't see text

c) Haun being hostile, curt, indifferent when I arrived

d) Haun claimed, "**Everyone** said you intended to not come in today, Taffany"

e) Haun later clarified that 'everyone' really meant "Green only"

f) Green came to work at the wrong time, for wrong shift and Haun acted upon Green's gossip without inquiring or acknowledging my prior notification

g) Haun gave my shift to Green and gave me a write up for being late, and then said I had to work double shift

h) Haun took no other action on my complaint, nor was there an investigation

i) **No write ups to Green, or latecomers (Bart Dye & Desmond C.)-- only me**

j) **I notated my disagreement on write-up**

24. 11/30/18 Sheffie continued to retaliate daily **[Policies: 1,2,7,9,10,11]**

a) Sheffie was being passive aggressive to me by refusing to make eye contact, presenting a very somber if not angry expression, and refusing his assistance

b) Sheffie was giving/helping increase bedding sales to Sosa since November so that Ahmed and I would not be the only ones in annual sales goal rewards

25. 11/30/18 Management continued to retaliate **[Policies: 1,2,7,9,10,11]**

a) Increasingly unwilling to hear concerns or complaints

b) Increasingly ostracized and treated like an outcast by management and Green/Shannon/Sosa/Jones

26. 12/21/18 **WORK INJURY (SEE CONCEALED WRITTEN STATEMENT IN PERSONNEL OR WORK INJURY FILE) [Policies: 1,2,4,5,6,7,8,9,10,11]**

a) Two customer witnesses (names are in statement)

b) Injured neck, back, wrist, and knees

c) Never informed about FMLA or work injury process

d) Multiple delays and failures to provide medical treatment

e) Extended and unnecessary pain and suffering

27. 12/22/18 Asked Haun about options to allow me to take time off **[Policies: 1,2,6,7,9,10,11,12,13]**

- a) Haun repeatedly said I could only take Off if I had a PTO available
- b) Haun required I work all scheduled shifts, regardless of physical constraints
- c) Haun failed to advise me of FMLA option

28. 12/27/18 Amanda Nop called for Accident Report information

- a) Never advised or revealed FMLA option

29. *12/29/18 Emailed Nop about needing relief for severe pain **(SEE EXHIBIT 7)**
[Policies: 1,2,4,6,7,9,10,11,12,13]

- a) Asked Nop about chiropractor for pain relief and she simply said it is, "Not covered under the plan"
- b) Nop failed to offer alternative or assistance
- c) Nop failed to inform or provide FMLA information
- d) Asked Haun repeatedly if any option to allow time off and each time Haun said, only if I had PTOs left
- e) Haun denied multiple and repeated requests to go home (No FMLA)

30. 1/1/19 Haun maintained I must work all scheduled shifts regardless of severe neck spasms and overall pain level **[Policies: 1,2,4,6,7,9,10,11,12,13]**

- a) Haun denied my request to go home due to extreme pain (No FMLA)

31. 1/2/19 Per Haun's instruction, I texted Sheffie about my schedule but Sheffie ignored and refused to respond to my communication **[Policies: 1,2]**

32. 1/3/19 Concentra failed to record, schedule and delayed proper medical treatment since 12/21/18

- a) Waited 2 weeks for 2nd appointment without any pain relief
- b) Waited 2 ½ weeks for 1st physical therapy appointment
- c) Waited 2 weeks for prescription for pain relief
- d) Waited 4 months for targeted cervical injection

33. 1/6/18 Sheffie retaliated by changing the work schedule, making me work opposite of Ahmed's shifts, knowing full well that Ahmed and I were good friends and were moral support for each other. He refused to allow Ahmed and I to work together.
[Policies: 1,2,6,7,9,10,11]

34. 1/7/19 HR didn't return calls--Haun gave me Sheri Schaber's number 770-904-5548

35. 1/15/19 Sheffie gossiping about Perkins. I didn't partake. **[Policies: 1,2,7,8,9,10,11]**

36. 1/17/19 Severe neck spasms while at work **[Policies: 1,2,4,6,7,9,10,11,12,13]**

- a) Throat infection and severe pain overall
- b) Denied request to go home (No FMLA)

37. 1/18/19 Couldn't complete PT tasks due to pain/exhaustion **(SEE EXHIBIT 8)**
[Policies: 1,2,4,6,7,9,10,11,12,13]

- a) Difficult breathing: congestion, upper respiratory infection
- b) Injured and ill, was still required to work a full schedule (No FMLA)
- c) Texted Dash requesting help to get time off at work
- d) Dash said only can use PTOs if I have any left
- e) Dash told me there was NO other relief to be Off work
- f) Dash didn't advise me of FMLA option

38. 1/18/19 Texted Nop at HR asking for relief to be Off **(SEE EXHIBIT 9)** **[Policies: 1,2,4,6,7,9,10,11,12,13]**

- a) Nop failed to ever reply to my text
- b) Nop continued to fail to advise me of FMLA option

39. 1/19/19

- a) I was denied work injury prescription
- b) RTG Administrator "cancelled part of my claim"

40. 1/29/19 Missed phone call from RTG Benefits department

- a) They left message that someone would call me at RTG
- b) Did not receive phone call at the store

41. 1/31/19 Haun retaliated with discrimination, favoritism **[Policies: 1,2,6,7,9,10,11]**

- a) Shannon allowed in break room repeatedly while on the clock
- b) Haun allowed me 15 minutes for lunch, saying, "clock out and hurry!"
- c) Haun frequently said no sitting down on the sales floor
- d) Haun insisted I sit in break room instead of sales floor where I could still work
- e) Once in break room, Haun/management said I must be clocked out
- f) Haun made it near impossible to comply with my work injury restrictions

42. 1/31/19 Shannon sexually harassed/assaulted Jones **[Policies: 1,2,3,4,7,8,9,10,11]**

- a) Shannon approached Jones and fondled her head and hair (in break room)
- b) Green was moaning, "Gretchen...I love your hair!"
- c) Jones obviously disturbed said, "Ok Tory, that's enough, now knock it off!"

43. 1/31/19 Green sexually harassed/assaulted Jones **[Policies: 1,2,3,4,7,8,9,10,11]**

- a) Green approached Jones and fondled her head and hair (on sales floor)
- b) Green moaned, "Oh, Aah, Gretchen...God damned this feels so good! Now Gretchen, you know hair's my thing...I love it!"

- c) Jones kept saying, "Ok Shamon, now that's enough."
 - d) Green refused to stop
 - e) Jones chided, "Alright Shamon, I said that's enough, now stop, stop it already!"
44. Green often made inappropriate sexual gyrating motions with hips and hands in presence of management and received no counsel. **[Policies: 1,2,3,4,7,8,9,10,11]**
45. Green often randomly commented, "[They] can kiss my black ass!" and received no counsel. **[Policies: 1,2,3,4,7,8,9,10,11]**
46. 2/4/19 I had total physical, emotional exhaustion, upper respiratory infection and the flu but Haun denied requests to go home (FMLA) **[Policies: 1,2,4,6,7,9,10,11,12,13]**
- a) 2/12/19 Haun tried to forbid me to say "KKK" or else "there could be HUGE HR investigation..." but I told Haun, "That's exactly what needs to be done!"
47. 2/13/19 Green mimicked shooting Haun in back with "invisible gun" **[Policies: 1,2,4,7,8,9,10,11]**
Haun took no action on Green's workplace violence
48. 2/16/19 Shannon verbally taunted me in the break room with multiple people present, "Look at her [Taffany] she's pretending not to hear me but we all know she's listening but doesn't have the God damned nerve to turn around. What is wrong with you [Taffany] why don't you answer me? Awh, she's scared 'cause she doesn't have someone here to protect her this time..." **[Policies: 1,2,3,4,7,8,9,10,11]**
- a) Haun took no action on Harassment and Bullying only saying, "Let's wait and see what happens tomorrow--how she acts [Shannon]." That evening, Shannon/Sosa/Green made comments in my presence and were laughing about "the owl" [me]
49. 2/17/19 At front of store, Green shouted: "What is wrong with you [Taffany]?! Can't you HEAR?????...You need a hearing aid?! God damn! What is wrong with you!? You need a damned hearing aid!" **[Policies: 1,2,3,4,7,8,9,10,11]**
- a) Haun took no action on Age or Religious Discrimination, Harassment, Bullying
50. 2/17/19 Shannon physically attacked Haun and me **(SEE EXHIBIT 8) REQUESTED ELECTRONIC SURVEILLANCE FOOTAGE BE PRESERVED [Policies: 1,2,3,4,5,7,8,9,10,11]**
- a) Shannon was upset I had sold a bed that she wanted to sell to her customer so she accused me of stealing it. She enlisted a warehouse employee to go get Haun for her and then Shannon saw me walk over to the bed.

- b) Haun arrived and Shannon ensued with her story of my alleged wrongdoing. When Shannon continued to raise her voice at Haun and accuse me loudly of lying and stealing, I walked over to Haun and whispered that I would like Shannon to stop disparaging my reputation in front of all the customers.
- c) When Haun refused to comply with Shannon's demands, Shannon yelled out, "I'll take care of you myself right now!" and lunged at me. Haun jumped in front of Shannon, shouting, "Get back Tory [Shannon], STOP! Get back!" and while I tried to back up from Shannon.
- d) Shannon was out-of-control of herself while Haun yelled to control Shannon.
- e) Another employee came up behind and grabbed Shannon, pulling her away from Haun and myself.
- f) Haun told me to leave so I walked into the middle of the store, away from Shannon.
- g) At closing I asked Haun what she's going to do about Shannon
- h) Haun said, "I still understand where Tory's coming from" and again suggested I could go to work in "Willowbrook" location
- i) "Willowbrook" is where I was transferred to upon requesting violence remediation by management
- j) I told Haun, "There's no way I'd let anyone force me to leave my job because of their very bad behavior...if anyone should be moved, it's Shannon, but it wouldn't be right to keep her anywhere because she's dangerous."
- k) Haun said, "I only meant so you wouldn't be under so much stress at this location."

51.2/18/19 At the business center Green racially discriminated against me and in front of customers [**Policies: 1,2,3,4,7,8,9,10,11**]

- a) Green shouted at me, "Those customers have NOTHING to do with you Taffy, NOTHING!...Just because you helped them this morning doesn't mean I [Green] can't sell them something now! It has NOTHING to do with you Taffy! It has nothing to do with you!"
- b) I tried to tell Green that I was waiting for the customers to return with their mother and Green yelled, "What people are you talking about [Taffany]?!"
- c) I said, "those [people] right there by the window" and motioned their way

- d) Green shouted at me, "THOSE BLACK people? Taffy, you don't HAVE any BLACK people! ...You don't HAVE any Taffy!!"
- e) The customers stopped and stared at Green while she yelled about them
- f) Haun took no action on the racial complaint

52.2/18/19 In her office, I asked Haun for advice regarding the day's incidents **[Policies: 1,2,3,4,7,8,9,10,11]**

- a) Haun referenced my four female coworkers [Green/Shannon/Sosa/Jones] saying, "they are just still very jealous of you [Taffy] and more so now because you [Taffy] overcame every obstacle they've put in your way! ..."
- b) Haun continued saying, "...In spite of everything they've [Green/Shannon/Sosa/Jones] done to make things difficult for you [Taffany], you're still doing better than them and other salespersons."
- c) **NOTE:** In her own words, Haun had just admitted knowledge of their [Green/Shannon/Sosa/Jones] harassment, discrimination, retaliation, and workplace violence
- d) Haun said that my customers still love me and always come back to me
- e) Haun followed up with, "You [Taffany] should feel complemented in a sick way that they're jealous of you."

53. Throughout my tenure at RTG, I've always asked Haun for advice, and she always advised me to, "just do the same things to them." **[Policies: 1,7,8,9,10]**

- a) I told Haun I would NEVER lower my standards nor retaliate
- b) I repeatedly asked for [Haun's] help to prevent reoccurrences
- c) Haun took no action on my complaints

54.2/20/19 Haun refused to let me attend work injury medical appointment claiming she needed me for sales coverage **[Policies: 1,2,7,9,10,12,13]**

55.2/21/19 Green racially discriminated **[Policies: 1,2,4,7,8,9,10,11]**

- a) Green still was using racial slurs in front of me and customers and telling Shannon and [Win] Russell, black male sales associate, "whachu up ta nigga?" and, "where's that God damned OWL [Taffany]?"

- b) Haun said for me not to [bother] telling her anything else that happens because now it's "out of her hands"
 - c) Haun said that Gerry Raymond, VP, would be coming soon to Humble and would "take care of all of it"
 - d) Haun refused to address the racial complaint
 - e) 2/22/19 Raymond came to Humble and spoke individually and privately to Green, Shannon, Sosa, and Jones **[Policies: 1,2,4,7,8,9,10,11]**
 - f) Raymond did not speak to me other than briefly said "Hello"
 - g) I received no explanation as to any "solution" Raymond had for the workplace violence/assault/harassment/discrimination/retaliation incidents
56. 2/23/19 I was denied leave to attend godmother's funeral **[Policies: 1,2,3,7,10,12]**
- a) Haun allowed Green and Shannon time off for "anniversary" with girlfriends
57. I was scheduled and required to work two 13-hour days and 10-hour shift for 3-Day Warehouse Sale, against medical workplace restrictions from work injury **[Policies: 1,2,3,7,10,12,13]**
- a) I was denied request to go home feeling horribly (No FMLA)
58. 2/26/19 Physically exhausted, overworked, severe neck and shoulder pain **[Policies: 1,2,3,7,10,12,13]**
- a) Missed work injury appointment
 - b) Certified Letter from RTG: if miss 2 appointments=I pay all bills
 - c) Denied request to go home (No FMLA)
59. 2/27/19 Management refused me access to internal complaint procedure **[Policies: 4,7,9,10,11]**
- a) I asked Gary Voorhees, white male assistant manager, if he was upset with me because he'd been avoiding me lately
 - b) Voorhees said he was glad that I asked and explained that he suffered many years at the hand of more than one employer who mistreated Voorhees beyond horribly. Voorhees' eyes watered as he spoke.
 - c) Voorhees admitted that he has little to no tolerance or compassion for employees who ask him for help on the job
 - d) Voorhees told me [off the record] not to ever come to him again with any complaint and that he could be very vindictive when cornered

- e) I replied, "So you [Voorhees] just want me to keep my mouth shut and not complain?" and Voorhees said, "Yes. That's right."

60. 2/27/19 Last day I worked a scheduled shift. Overheard threats of a "Contract/Hit" on me and Haun by Trevino (**SEE EXHIBIT 11**) [**Policies: 1,2,4,7,9,10,11,12**]

- a) Roman Trevino, Hispanic male warehouse employee, and Sosa were heard making threats of violence by putting a "contract or hit" on me and to "take her out [Taffany]"
- b) Trevino said he'd make contract to "fuck up Taffany", getting his dad and brother to help him [contract]
- c) Trevino said he'd take the fall...go to jail for doing contract...and come back and "slap around Rhonda [Haun] for being a two-faced bitch"
- d) Trevino said he, his dad and brother would execute [contract] together and probably start "contract, hit" business together, and "fuck Rhonda up too"

61. 2/28/19 Before start of scheduled work shift, I called and informed Haun of the threat [**Policies: 1,2,4,6,7,8,9,10,11,12**]

- a) **Trevino and Sosa were discussing contract hit on me and Haun**
- b) **Told Haun I won't be coming in to work today, but will return when informed/assured violence is resolved and it's safe to return to work**
- c) Haun said, "Take your last PTO [available] to think things over"

62. 2/28/19 Haun called me back and said per Raymond, "You've been transferred to Willowbrook...report there Saturday for work". (No phone number, address or supervisor name was provided) [**Policies: 1,2,4,7,8,9,10,11,12,13,14**]

- a) Haun told me, "This is Raymond's solution to make sure I feel safe at work..." and "... it's best for all concerned."
- b) **I re-stated the workplace isn't safe with the multiple threats and/or (documented) attempted assaults by three female coworkers, plus discussion for "contract" on me [and Haun]**
- c) I told Haun that a transfer would be retaliatory, demotion, and hardship, and so "I do not accept the transfer."
- d) Told Haun I'd wait for notification of when work/Humble is safe to return to RTG repeatedly failed to comply with its own "Zero Tolerance" policy regarding workplace violence

63. **Precedent**: In 2018 RTG warehouse employee verbally threatened physical harm to Perkins and that employee was immediately terminated

64. 2/28/19 I called HR: No answer or any Voice Mail Box available

a) HR returned call late in afternoon and left voice message of returning my call

65. 3/2/19 I went to Humble Police Department and reported (#1903620047) the violent threats made against me at RTG

66. 3/2/19 I called Haun to inform her (again) that I don't accept the transfer, that it would be retaliation, demotion, and hardship **[Policies: 1,2,4,6,7,12,14]**

a) Also told Haun I still intend to return to work at Humble as soon as notified it is safe to do so

b) Haun was abrupt, curt and instructed me to call Willowbrook

c) I agreed to follow my supervisor's [Haun] instructions and called Willowbrook

67. 3/2/19 When I called Willowbrook, no one was in yet except a (unnamed) Assistant Manager. **(SEE EXHIBIT 12) [Policies: 6,7,11,12,13,14]**

a) I explained to the manager that I was not coming to Willowbrook, and why, for alleged transfer today or any day because transfer was retaliatory, demotion and hardship and I do not accept the transfer

b) I requested retail manager at Willowbrook give my message to Cribbs, assuming he was the outlet manager

68. Per "Dee" at Express Scripts (I called to see why Humira was not sent to me)

a) RTG Benefits Administrator cancelled my Express Scripts prescription policy effective the date of my termination, 3/4/19

69. 3/6/19 I called HR again about the unsafe work environment and asked why no one had contacted me yet so I could get back to work

a) HR said someone would call me back shortly

b) John Soete, HR Generalist South Texas Region called me back and stated that I was terminated as of 3/4/19 for three (3) days of No Call No Shows at Willowbrook store **[Policies: 1,2,4,6,7,10,11,12,13,14]**

a) I reiterated to Soete that I had not accepted the transfer due to:

b) Retaliation: multiple occurrences/complaints of threats, violence, discrimination, harassment

c) Demotion: Willowbrook is smallest volume outlet store in the region

d) Hardship: extra 60+ miles daily roundtrip alone after 9:00 pm is unsafe

e) Light Duty Work Restrictions: I was currently on light duty for work injury--driving extra 2+ hours daily directly violates orders

c) I asked Soete if transferring me was RTG solution for me being attacked and threatened at work?

d) Soete said, "It wasn't feasible to move [all] the people that you [Taffany] were having issues with."

70. 3/4/19 No investigation of earlier or recent workplace violence incidents occurred prior to my termination, nor prior to the original transfer decision made by Raymond **[Policies: 1,2,4,11,14,15]**

71. I'd paid my share of insurance premiums for March, 2019, as of 3/4/19, RTG immediately and without my knowledge, cancelled medical and prescription insurance coverage, causing hardship and permanent harm to my physical health

72. 3/6/19 RTG continued retaliation with the following: **[Policies: 1,2,3,7,10,12,13]**

a) I was denied medical insurance coverage

b) I was not notified at the time my insurance was cancelled by RTG

c) I was denied access to medically necessary prescriptions causing:

a) subsequent permanent joint damage

b) unnecessary pain and suffering

d) I was denied payment of my 5 unused vacation days

73. 3/13/19 Concentra Appointment with Dr. Dolan

a) At Concentra, Dolan, said I utilized the maximum PT allowed visits

b) Dolan said she didn't see or know of anything else needing to be done

c) I told Dolan I was in more pain now than ever before the injury and told Dolan I could feel something just wasn't right

d) Dolan said she would ask Broadspire for MRI approval to view my neck more closely and find source of pain

74. MRI completed 11 weeks after on the job injury

75. 3/15/19 Filed Unemployment claim

76. 3/27/19 MRI results with Dolan

- a) Dolan said almost all cervical vertebrae are herniated and leaking spinal fluid
- b) Dolan said it was probably pinching a nerve
- c) Referral to orthopedic spine specialist
- d) Will receive spinal injection to alleviate inflammation and pain

77. 3/28/19 Missed a call from Dash

78. 4/1/19 New self-pay Marketplace medical coverage became effective

- a) 27 days without medical or prescription drug coverage
- b) Still can't get Humira prescription due to coordination

79. 4/8/19 RTG denied work injury prescription at Kroger pharmacy **[Policies: 1,2,13]**

- a) Metaxalone prescribed by FNP Butler for neck muscle spasms
- b) Per Brody, Pharmacy Technician: Worker's Compensation will not pay for it
- c) Brody said that Michelle Ethridge left me her number to call if any questions about prescription not being filled: 214-640-4566
- d) I called Ethridge but got no call back so I texted Dash
- e) Dash said she would have Ethridge contact me

80. 4/9/19 Ethridge finally called me back

81. Me: Brody said Tmesys requires workers compensation claim be "reinstated"

82. Ethridge said she will contact pharmacy again to facilitate filling prescription

83. 4/9/19 Still unable to obtain refills on Humira injections

- a) Humira injections help prevent and slow further joint damage from PsA
- b) I'm behind by (2+) Humira dosages
- c) Lack of Humira is causing my foot joints to be permanently damaged

84. 4/10/19 Got approval from RTG, I picked up Metaxalone

85. 4/11/19 Picked up Humira using self-pay medical policy

- a) RTG prevented my access to Humira treatment for 37 days

86. 4/24/19 Received first targeted Cervical Injections today

87. 4/25/19 Restarted PT appointments (of 6 total)